

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**JACKSON WOMEN'S HEALTH
ORGANIZATION, *et al.***

PLAINTIFFS

V.

CAUSE NO. 3:18-CV-171-CWR-FKB

THOMAS E. DOBBS, M.D., M.P.H., *et al.*

DEFENDANTS

ORDER STAYING CASE

Before the Court are the parties' Joint Motion to Continue [Docket No. 241] and the Defendants' Unopposed Motion for Reconsideration [Docket No. 242].

In their Joint Motion to Continue, the parties ask the Court to stay the dispositive and *Daubert* motions' briefing schedule and the December 6, 2021 trial setting. They observe that the current schedule is burdensome and unrealistic in light of the United States Supreme Court's decision to issue a writ of certiorari, accepting for review the constitutionality of Mississippi's 15-week abortion ban. Docket No. 240.

The parties disagree about the proper length of the continuance. The Defendants have asked the Court to continue the matters until the Supreme Court has issued its decision, as they believe that the Supreme Court's resolution of the 15-week ban could have a significant effect on the matters left to be tried before this Court. The Plaintiffs, in contrast, believe that speculation about the decision's effect on the case does not justify delaying ruling on their motions by more than a year. They instead ask for a short continuance to avoid conflicts with the Supreme Court briefing and argument schedule.

This Court agrees with the Defendants that the Supreme Court's decision may significantly impact the issues remaining in this case, including whether *Roe v. Wade* and *Planned Parenthood v. Casey* remain the law of the land. Thus, the current briefing schedule and

the December 2021 trial setting are stayed. The Plaintiffs' Motion to Compel State Legislators to Comply with Subpoenas Duces Tecum [Docket No. 207] is the only pending motion that shall proceed to a timely resolution, and that shall proceed only so that all discovery will be done when the case returns from Washington, D.C.

The stay shall remain in place until the Supreme Court has issued its decision regarding the constitutionality of the 15-week abortion ban. If, however, the Supreme Court dismisses this matter for any reason prior to issuing a ruling on the merits, such as for mootness or for being improvidently granted, the parties shall promptly alert the Court so that a new briefing schedule may be put in place.

Because the Supreme Court's decision may require new dispositive motions under a new legal standard, the Motion for Reconsideration is denied as moot. The parties may renew their motions to exceed the Local Rules' page limitation at the appropriate time.

SO ORDERED, this the 9th day of June, 2021.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE